THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.16575 of 2007

Between:

Smt.Ravva Lakshmi.

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PETITIONER

and

The District Collector and others.

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RESPONDENTS

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WRIT PETITION No.16575 of 2007

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ORDER:

It is the case of the petitioner that she made an application for assignment of the land admeasuring Ac.0-60 cents in Sy.Nos.215/2 and 265/2 respectively situated at Lolla Village, Rayavaram Mandal, East Godavari District. But, the said application has been rejected by the Mandal Revenue Officer, Rayavaram, through proceedings in Ref.B/523/2000, dated 10-12-2001. Aggrieved by the same, the petitioner filed an appeal before the Joint Collector, East Godavari District, Kakinada and the Joint Collector dismissed the said appeal through the impugned order in D.Dis.No.E5/6652/2002, dated 15-02-2007. Aggrieved by the said order, this writ petition has been filed.

On the other hand, the learned Government Pleader for Revenue appearing for the respondents submits that the land admeasuring Ac.0-60 cents in Sy.Nos.215/2 and 265/2 is a poramboke land intended for communal purpose. Therefore, the said land cannot be assigned as per the provisions of B.S.O. 15-3(4) (ii). Accordingly, the request of the petitioner was rejected by the Mandal Revenue Officer for granting patta in respect of the land in question through proceedings in Ref.B/523/2000, dated 10-12-2001.

It is further stated that in fact the petitioner was not in possession of the said land, but erroneously notice under Section 7 of the A.P.Land Encroachment Act, 1905, was issued to the petitioner by manipulating the village accounts by the then Village Administrative Officer and, therefore, he was placed under suspension.

It is further stated that the other records about payment of water tax etc. are all manipulated, since the said land is not an irrigated land.

It is further stated that the Joint Collector, after considering all the contentions of the petitioner in detail, rightly dismissed the appeal upholding the order of the Mandal Revenue Officer. Therefore, the petitioner is not entitled for assignment of the land in question.

A perusal of the orders of the Mandal Revenue Officer as well as the Joint Collector goes to show that there is no infirmity legal or otherwise, so as to call for interference by this Court under Article 226 of the Constitution of

India.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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05-11-2007

Prv